

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ELLA GLOVER,)
)
Plaintiff,) Case No. 08 CV 2030
v.)
)
KENWOOD HEALTHCARE)
CENTER, INC.,) Judge Virginia M. Kendall
)
Defendant.)

JOINT STATUS REPORT

Plaintiff, Ella Glover, and Defendant, Kenwood Healthcare Center, Inc., for their Joint Status Report, pursuant to Court Order and in anticipation of the June 18, 2008 Status Hearing, state as follows:

1. **Attorneys of Record.** The attorney of record for Plaintiff, Ella Glover (“Glover”), is Uche O. Asonye of Asonye and Associates. The attorneys of record for Defendants, Kenwood Healthcare Center, Inc. (“Kenwood”), is Gary D. Ashman, of Ashman & Stein.

2. **Basis for Federal Jurisdiction.** Plaintiff asserts jurisdiction over Counts I, II, and III of the Complaint pursuant to the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C Section 621 et seq.

3. **Nature of Claims.** Glover, a former employee of Kenwood, claims that during her employment she was subjected to age discrimination by her co-worker, suffered retaliation for her age discrimination claim, and was terminated on the basis of age. Kenwood maintains that Glover was not harassed because of her age or for any other reason, and that it terminated

Glover's employment for legitimate, non-retaliatory reasons – misconduct, insubordination, and patient neglect.

4. **Service of Process.** Plaintiff issued a waiver of service of summons on April 11, 2008. The parties have agreed that Defendant's counsel shall file a responsive pleading by June 26, 2008.

5. **Principal Legal Issues.** The principal legal issues in this litigation are (a) whether the conduct alleged by Glover constitutes actionable age discrimination and retaliation under the Age Discrimination in Employment Act, and (b) whether Kenwood's stated reasons for terminating Glover's employment – misconduct, patient neglect, and insubordination – were a pretext for age discrimination;

6. **Principal Factual Issues.** The principal factual issues relate to the actions and conduct alleged by Glover which Defendants deny.

7. **Jury Trial.** Plaintiff has requested a trial by jury.

8. **Discovery.** To date, the parties have not engaged in any discovery. The parties propose that all discovery in this matter be completed on or before February 28, 2009. The parties have agreed to exchange Rule 26(a)(1) Initial Disclosures by July 13, 2008. Plaintiff and Defendant plan to serve written discovery and depose parties and witnesses with knowledge of relevant facts.

9. **Trial.** The parties believe that they will be ready for a trial in this matter in May 2009. The parties predict that a trial, if necessary, is likely to take 5 days.

10. **Consent to Proceed Before Magistrate.** The parties do not consent to proceed before the Magistrate Judge for trial.

11. **Settlement.** The parties have discussed the possibility of settlement and do not

believe a resolution is possible at this time. Accordingly, the parties do not request a settlement conference.

Respectfully submitted,

Ella Glover

Kenwood Healthcare Center, Inc.

/s Uche O. Asoyne
One of His Attorneys

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CERTIFICATE OF SERVICE

I certify that on June 13, 2008, I electronically filed the foregoing ***Joint Status Report*** with the Clerk of the court using the CM/ECF system which will send notification of such filing to the following:

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